

REMARKS

The Official Action dated November 13, 2003 has been carefully reviewed and the foregoing amendment and the following remarks have been made in response thereto. The present application currently contains claims 1 through 18. Claims 1, 2, 4-9, 11, and 13-17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,026,374 to Chess (hereinafter "Chess") in view of U.S. Patent No. 5,889,674 to Burdick et al. (hereinafter "Burdick"). Claims 3, 10, 12 and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Chess in view of Burdick and further in view of U.S. Patent No. 5,832,502 to Durham et al. (hereinafter "Durham").

The foregoing amendment presents changes to independent claims 1, 10, 11 and 18 to more clearly define the subject matter that the Applicant regards as the invention and distinguish the recited invention from the cited prior art. As amended, each one of system claims 1 through 10 includes as an element a converter for examining characteristic data and generating a data standard for the characteristic data therefrom. Each one of method claims 11 through 18 includes the step of examining said characteristic data and generating a data standard for the characteristic data therefrom. Support for the addition of this clarifying language to independent claims 1, 10, 11 and 18 is provided in the specification at page 7, lines 8 through 23.

The rejection of claims 1 through 18 under 35 U.S.C. 103(a) is respectfully traversed. Chess has been cited as teaching a system with a seller processor, buyer processor, and information exchange system exchanging data between the two, wherein the information exchange system can: receive characteristic data from the seller processor; convert the characteristic data; and present the data to a buyer processor. The Office Action acknowledges that Chess does not teach establishing a data standard for the characteristic data and converting the characteristic data

into standardized characteristic data in accordance with the data standard. It should also be noted that “characteristic data” disclosed by Applicant and the “information products” disclosed by Chess are not equivalent elements. For example, characteristic data, as disclosed by the Applicant, refers to such things as the “seek time” for hard disks (see application p. 6, lines 25-26 through p. 7, lines 1-7) and the “pass rate” of solder connections (see application p. 7, lines 24-26 through p. 8, lines 1-12). Conversely, Chess teaches that “information products can include various publications, such as papers, books, journals, compiled reference works, government documents, etc.” (col. 2, lines 3-5). Clearly, “characteristic data” and “information products” are not equivalent elements.

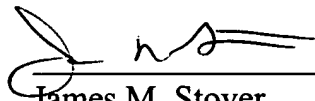
Burdick was cited for disclosing a system for reforming data in disparate formats into a common format that includes an established data standard. However, Burdick does not teach a converter for, or step of, examining characteristic data and *generating* a data standard for the characteristic data therefrom. The system described in Burdick merely reforms raw data into a known standardized data format. Burdick does not teach an element or step for generating a data standard.

Durham was cited for disclosing a computer system that determines data to be in the correct format before proceeding to operate on it.

Thus, none of the cited references teaches or suggests a converter for, or step of, examining characteristic data and generating a data standard for the characteristic data therefrom. As a converter for generating a data standard for the characteristic data therefrom is an element of each one of system claims 1 through 10, and the step of generating a data standard for the characteristic data therefrom is an element of each one of method claim 11 through 18, claims 1 through 18 are all believed to be patentable over the cited references, taken singularly or in combination.

Thus, in view of the foregoing amendments and remarks, it is believed that the application, including claims 1 through 18, is in condition for allowance. Early and favorable action is respectfully requested.

Respectfully submitted,



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